

HOUSE BILL No. 1366

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-48-4-13.

Synopsis: Maintaining a common nuisance. Provides that a person who maintains a building used by one or more persons to unlawfully use controlled substances commits maintaining a common nuisance.

Effective: July 1, 2003.

Foley, Lutz J, Reske

January 14, 2003, read first time and referred to Committee on Judiciary.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1366

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 35-48-4-13, AS AMENDED BY P.L.17-2001,
2 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2003]: Sec. 13. (a) A person who knowingly or intentionally
4 visits a building, structure, vehicle, or other place that is used by any
5 person to unlawfully use a controlled substance commits visiting a
6 common nuisance, a Class B misdemeanor.
7 (b) A person who knowingly or intentionally maintains a building,
8 structure, vehicle, or other place that is used one (1) or more times:
9 (1) by **one (1) or more** persons to unlawfully use controlled
10 substances; or
11 (2) for unlawfully:
12 (A) manufacturing;
13 (B) keeping;
14 (C) offering for sale;
15 (D) selling;
16 (E) delivering; or
17 (F) financing the delivery of;



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1 controlled substances, or items of drug paraphernalia as described
2 in ~~IC 35-48-4-8.5~~; **section 8.5 of this chapter**;
3 commits maintaining a common nuisance, a Class D felony.
4 **SECTION 2. [EFFECTIVE JULY 1, 2003] IC 35-48-4-13, as**
5 **amended by this act, applies only to acts committed after June 30,**
6 **2003.**

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